

European Aviation Safety Agency

DECISION 2014/019/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 24 April 2014

adopting Guidance Material to Regulation (EU) No 965/2012

'GM to Regulation (EU) No 965/2012'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Regulation (EU) No 965/2012² and in particular ARO.GEN.120 of Annex II (Part-ARO) thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Certification Specifications and Acceptable Means of Compliance, as well as Guidance Material for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) Guidance Material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its Implementing Rules, Certification Specifications and Acceptable Means of Compliance.
- (3) The Agency shall, pursuant to the 2nd sentence of Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned.
- (4) The Agency has determined the need to adopt Guidance Material to enable air operators to comply with the objective to maintain a high level of safety and to ensure proportionate application of Regulation (EU) No 965/2012, and to warrant flexibility and efficiency for operators and authorities.

¹ Regulation (EC) No 216/2008 of the European Parliament and the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1, as last amended by Commission Regulation (EU) No 6/2013, of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² Commission Regulation (EU) No 965/2012 of the European Commission of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ, L 296, 25.10.2012, p.1), as last amended by Commission Regulation (EU) No 379/2014, OJ L 123, 24.4.2014, p. 1

- (5) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3) and 6 and 7 of the Agency's Rulemaking Procedure³, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁴.

HAS DECIDED:

Article 1

The Guidance Material to the Cover Regulation of Regulation (EU) No 965/2012 is that laid down in the Annex to this Decision.

Article 2

This Decision shall enter into force on the 1st of July 2014.

Done at Cologne, 24 April 2014

*For the European Aviation Safety Agency
The Executive Director
Patrick KY*

³ EASA MB Decision No 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure'), see <http://easa.europa.eu/official-publication/rulemaking-procedure.php>.

⁴ <http://easa.europa.eu/rulemaking/r-archives.php#crd>.